

#  
2

Express Mail No. EL653442409US  
PATENT  
Attorney Docket No. ACX-103CNS

J10002 U.S. PTO  
09/837773  
04/18/01



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Lazarus et al.

SERIAL NO.: Not yet assigned GROUP NO.: Not yet assigned

FILING DATE: Herewith EXAMINER: Not yet assigned

TITLE: Packaged Strain Actuator

Assistant Commissioner for Patents  
Washington, D.C. 20231

### INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. In accordance with the provisions of 37 C.F.R. § 1.98(d), copies of the references are not enclosed as these references were previously cited by or submitted to the U.S. Patent and Trademark Office in the parent application U.S.S.N. 08/943,646, and the prior application is relied upon for an earlier filing date under 35 U.S.C. § 120.

### REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

(1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or

(2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and

the requisite Statement is below, **OR**

the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

(3) after the mailing date of a **final action or notice of allowance** but before the payment of the **issue fee, AND**

the requisite Statement is below, **AND**

the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

#### STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or

2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

  
\_\_\_\_\_  
Jennifer A. Camacho

Attorney for Applicant(s)  
Testa, Hurwitz, & Thibeault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110

Date: 4/10/01  
Reg. No. 43,526

Tel. No.: (617) 248-7476  
Fax No.: (617) 790-0046

2073283